

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.

CR16 0116

NEMR HALLAK, TOLGA SUATAC,
MICHELINA PERNA,
a/k/a Michelle Perna,
a/k/a Michelle Perry,
a/k/a Sonia Perry, and
ROBERTO MANCINI,

SEALED
BY COURT CLERK

FILED
MAR 17 2016
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EMC

DEFENDANT(S).

INDICTMENT

Title 18 U.S.C. § 1956(h) - Conspiracy to Commit Money Laundering;
Title 18 U.S.C. § 1349 - Conspiracy to Commit Mail Fraud and Wire Fraud;
Title 18 U.S.C. § 1341 - Mail Fraud;
Title 18 U.S.C. § 1343 - Wire Fraud; Criminal Forfeiture;
Title 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(1) and 28 U.S.C § 2461(c)

JOSEPH C. SPERO
UNITED STATES MAGISTRATE JUDGE

A true bill.

Foreman

Filed in open court this 17th day of

March 2016
Karen L. ROM
Clerk

Bail, \$

no bail or next warrant
for all defendants

CR16-116 EMC

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 Count 1: 18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering; ☐ Petty
 Count 2: 18 U.S.C. § 1349 – Conspiracy to Commit Mail Fraud and Wire Fraud; ☐ Minor
 Counts 3-6: 18 U.S.C. § 1341 – Mail Fraud; and ☐ Misdemeanor
 Count 7: 18 U.S.C. § 1343 – Wire Fraud ☒ Felony

PENALTY: Please see attached.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

NEMR HALLAK

DISTRICT COURT NUMBER

CR16 0116

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
 SEARCHED
 SERIALIZED
 INDEXED
 FILED
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

USPIS

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Robert S. Leach

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: None

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

PENALTY SHEET ATTACHMENT

Count One:

18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering

Maximum Penalties: 20 years imprisonment
\$500,000 fine or twice the value of the monetary instrument or
funds involved in the transportation, transmission, or transfer
3 years supervised release (18 U.S.C. §§ 3583(b) & 3559(a))
\$100 special assessment (18 U.S.C. § 3013)

Count Two:

18 U.S.C. § 1349 – Conspiracy to Commit Mail Fraud and Wire Fraud

Maximum Penalties: 20 years imprisonment
\$250,000 fine or not more than the greater of twice the gross gain
or twice the gross loss (18 U.S.C. § 3571)
3 years supervised release (18 U.S.C. §§ 3583(b) & 3559(a))
\$100 special assessment (18 U.S.C. § 3013)

Counts Three Through Six:

18 U.S.C. § 1341 – Mail Fraud

Maximum Penalties: 20 years imprisonment
\$250,000 fine or not more than the greater of twice the gross gain
or twice the gross loss (18 U.S.C. § 3571)
3 years supervised release (18 U.S.C. §§ 3583(b) & 3559(a))
\$100 special assessment (18 U.S.C. § 3013)

Count Seven:

18 U.S.C. § 1343 – Wire Fraud

Maximum Penalties: 20 years imprisonment
\$250,000 fine or not more than the greater of twice the gross gain
or twice the gross loss (18 U.S.C. § 3571)
3 years supervised release (18 U.S.C. §§ 3583(b) & 3559(a))
\$100 special assessment (18 U.S.C. § 3013)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

Count 1: 18 U.S.C. § 1956(h) - Conspiracy to Commit Money Laundering; ☐ Petty
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 Counts 3-6: 18 U.S.C. § 1341 - Mail Fraud; and ☐ Misdemeanor
 Count 7: 18 U.S.C. § 1343 - Wire Fraud ☒ Felony

PENALTY: Please see attached.

SEALED
BY COURT ORDER

Name of District Court, and/or Judge, Magistrate, Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

TOLGA SUATAC

DISTRICT COURT NUMBER

C R 16 0116

DEFENDANT

EMC**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted☒ U.S. Attorney ☐ Other U.S. Agency

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

Name of Assistant U.S.

Attorney (if assigned)

Robert S. Leach

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: None

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Date/Time: Before Judge:

Comments:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

PENALTY SHEET ATTACHMENT

Count One:

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Count Two:

18 U.S.C. § 1349 – Conspiracy to Commit Mail Fraud and Wire Fraud

Maximum Penalties: 20 years imprisonment
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DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
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 Count 1: 18 U.S.C. § 1956(h) - Conspiracy to Commit Money Laundering; ☐ Petty
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 Count 7: 18 U.S.C. § 1343 - Wire Fraud ☒ Felony

PENALTY: Please see attached.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

 MICHELINA PERNA, a/k/a
 a/k/a Michelle Perry, a/k/a Sonia Perry

DISTRICT COURT NUMBER

CR16 0116

DEFENDANT

IS NOT IN CUSTODY

- 1)
- ☒
- Has not been arrested, pending outcome this proceeding.
-
- If not detained give date any prior summons was served on above charges

- 2)
- ☐
- Is a Fugitive

- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☐
- On this charge

- 5)
- ☐
- On another conviction

☐ Federal ☐ State

- 6)
- ☐
- Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

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PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

USPIS

- ☐
- person is awaiting trial in another Federal or State Court, give name of court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a re prosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Robert S. Leach

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: None

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Date/Time:

Before Judge:

Comments:

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Count Two:

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Counts Three Through Six:

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Count Seven:

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AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
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PENALTY: Please see attached.

 BY **SEAN J. STRETCH**
 U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

USPIS

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

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Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH
☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Robert S. Leach

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

▶ ROBERTO MANCINI

DISTRICT COURT NUMBER

CR16

0116

DEFENDANT

EMC

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
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Month/Day/Year

Or... if Arresting Agency & Warrant were not

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Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT
Bail Amount: None

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

PENALTY SHEET ATTACHMENT

Count One:

18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering

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Count Two:

18 U.S.C. § 1349 – Conspiracy to Commit Mail Fraud and Wire Fraud

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18 U.S.C. § 1341 – Mail Fraud

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Count Seven:

18 U.S.C. § 1343 – Wire Fraud

Maximum Penalties: 20 years imprisonment
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or twice the gross loss (18 U.S.C. § 3571)
3 years supervised release (18 U.S.C. §§ 3583(b) & 3559(a))
\$100 special assessment (18 U.S.C. § 3013)

BRIAN J. STRETCH (CABN 163973)
Acting United States Attorney

FILED
2016 MAR 17 P 2:26
SUSAN Y. STONG
CLERK, U.S. DISTRICT COURT
NO. DIST. OF CA.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

NEMR HALLAK,
TOLGA SUATAC,
MICHELINA PERNA,
a/k/a Michelle Perna,
a/k/a Michelle Perry,
a/k/a Sonia Perry, and
ROBERTO MANCINI,

Defendants.

CR16

0116

EMC

VIOLATIONS: 18 U.S.C. § 1956(h) –
Conspiracy to Commit Money Laundering;
18 U.S.C. § 1349 – Conspiracy to Commit
Mail Fraud and Wire Fraud; 18 U.S.C.
§ 1341 – Mail Fraud; 18 U.S.C. § 1343 –
Wire Fraud; Criminal Forfeiture – 18 U.S.C.
§§ 981(a)(1)(C) & 982(a)(1) & 28 U.S.C.
§ 2461(c)

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

Introductory Allegations

At all relevant times unless otherwise specified:

1. NEMR HALLAK resided in Quebec, Canada. HALLAK controlled and used the e-mail accounts checktocash75@gmail.com, michaelhemmel@gmail.com, nemrhallak@gmail.com, and B3atleyeha@gmail.com.

2. TOLGA SUATAC resided in Quebec, Canada. SUATAC was an officer of 9226-6162 Quebec Inc., a Canadian company that used the name “Green Gate Management Inc.” SUATAC

INDICTMENT

18

1 controlled and used the e-mail accounts tolga_montreal@yahoo.com and tolga@greengatekk.com.

2 3. MICHELINA PERNA, a/k/a Michelle Perna, a/k/a Michelle Perry, a/k/a Sonia Perry,
3 resided in Quebec, Canada. PERNA and SUATAC were husband and wife. PERNA controlled and
4 used the e-mail accounts michelle_perna@ymail.com, Sonia_perry@ymail.com, and
5 michelle@greengatekk.com.

6 4. ROBERTO MANCINI resided in Quebec, Canada. On or about February 4, 2013,
7 MANCINI became the sole officer of Green Gate America, Inc., which was formed on September 15,
8 2010, in Delaware. MANCINI controlled and used the e-mail accounts mancini.robert@sympatico.ca,
9 robert@greengatekk.com, and brian.james5577@yahoo.com.

10 5. From at least May 2009 through June 2014, N.M. and A.V. operated a fraudulent
11 telemarketing scheme from Quebec, Canada. N.M. and A.V. deceived thousands of U.S. small
12 businesses, churches, cities, and others into paying money for a phony “business listing optimization”
13 service. N.M. and A.V. formed shell companies in Nevada, including Internet Company Services Inc.,
14 Nation Wide Business Network Inc., Search Engine Technologies Inc., and On Line Business Systems,
15 LLC, to conduct the scheme. Victims throughout the United States were cold-called from Canada,
16 falsely told they had agreed to purchase “business listing optimization” services, and sent bogus invoices
17 via the U.S. mail demanding payment. Victims were directed to mail checks to addresses in the United
18 States – addresses which were, in fact, UPS mailboxes or virtual offices – including a UPS store at 426
19 Howard Street in San Francisco. Thousands of victims paid based on the false and misleading calls and
20 invoices.

21 COUNT ONE: (18 U.S.C. § 1956(h) – Conspiracy to Commit Money Laundering)

22 6. From at least in or about March 2011 through in or about May 2013, in the Northern
23 District of California and elsewhere, the defendants,

24 NEMR HALLAK,
25 TOLGA SUATAC,
26 MICHELINA PERNA, and
ROBERTO MANCINI,

27 and others, did knowingly conspire to violate Title 18, United States Code, Section 1956(a)(2)(A) and
28 (B).

INDICTMENT

7. It was a part and an object of the conspiracy that HALLAK, SUATAC, PERNA, MANCINI, and others would and did transport, transmit, and transfer, and attempt to transport, transmit, and transfer, monetary instruments and funds from a place in the United States to and through a place outside the United States and to a place in the United States from and through a place outside the United States with the intent to promote the carrying on of specified unlawful activity, namely, the fraudulent telemarketing scheme of N.M. and A.V. described in sum and substance in paragraph 5, which constituted mail fraud, in violation of Title 18, United States Code, Section 1341, and wire fraud, in violation of Title 18, United States Code, Section 1343, and knowing that the monetary instruments and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, namely, mail fraud, in violation of Title 18, United States Code, Section 1341, and wire fraud, in violation of Title 18, United States Code, Section 1343.

Means and Methods of the Money Laundering Conspiracy

8. It was a part of the conspiracy that HALLAK, SUATAC, PERNA, and MANCINI caused shell companies to be formed in Delaware and Florida by a network of nominees, who were paid in cash to be listed as officers and directors of the shell companies. The names of the shell companies generally matched the names of entities N.M. and A.V. had already formed in Nevada.

9. As further part of the conspiracy, HALLAK, SUATAC, PERNA, and MANCINI caused the nominees to open bank accounts in the names of the shell companies at financial institutions in Florida that HALLAK, SUATAC, PERNA, and MANCINI controlled.

10. As further part of the conspiracy, victim checks issued to entities formed by N.M. and A.V. were forwarded from UPS stores or virtual offices in the United States – including the UPS store at 426 Howard Street in San Francisco – to an address in Montreal, Canada.

11. As further part of the conspiracy, victim checks – initially forwarded to Canada – were delivered back to the United States and deposited in the bank accounts opened by the nominees.

12. As further part of the conspiracy, N.M. and A.V. wired money from accounts they controlled to bank accounts opened by the nominees.

13. As further part of the conspiracy, HALLAK, SUATAC, PERNA, and MANCINI caused funds from the bank accounts opened by the nominees to be transferred to accounts located at Canadian financial institutions.

14. As further part of the conspiracy, HALLAK, SUATAC, PERNA, and MANCINI caused cash to be returned to N.M. and A.V.

All in violation of Title 18, United States Code, Section 1956(h).

COUNT TWO: (18 U.S.C. § 1349 – Conspiracy to Commit Mail Fraud and Wire Fraud)

15. Paragraphs 1 through 4 are re-alleged and incorporated by reference.

16. From at least in or about January 2010 through in or about August 2014, in the Northern District of California and elsewhere, the defendants,

NEMR HALLAK,
TOLGA SUATAC,
MICHELINA PERNA, and
ROBERTO MANCINI,

and others, did knowingly conspire to knowingly, and with intent to defraud, devise and intend to devise a material scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of material facts, and, for the purpose of executing such scheme and artifice and attempting to do so, cause mail and other matter to be sent and delivered by the United States Postal Service and private and commercial interstate carriers and transmit and cause to be transmitted wire communications in interstate and foreign commerce, in violation of Title 18, United States Code, Sections 1341 and 1343.

Means and Methods of the Mail Fraud and Wire Fraud Scheme

17. It was a part of the scheme that HALLAK, SUATAC, PERNA, MANCINI, and others operated a “business directory” telemarketing scam (separate from the scam operated by N.M. and A.V.). Using a variety of means, including false and misleading cold calls and bogus invoices, the defendants deceived churches, doctors’ offices, non-profits, mom-and-pop stores, and small businesses into paying for business directory services they neither ordered nor received.

18. As further part of the scheme, HALLAK, SUATAC, PERNA, and MANCINI caused shell companies to be formed in Florida and Delaware in the names of nominees, who were paid in cash

1 to be listed as officers and directors of the shell companies. Many of the shell companies used the term
 2 “Yellow Pages” to suggest their operations were legitimate. The shell companies included Super
 3 Business Yellow Pages Inc., Commercial Yellow Pages Inc., Direct Yellow Pages Inc., Local Business
 4 Info Connection Inc., Effective Engine Search Inc., Your Yellow Pages Inc, Horizon Search Solutions,
 5 Inc., Yellow Book Pages, Inc., City Pages Inc, Rapid Pages Inc, Assurance-Com, Inc., Pro Market
 6 Target Inc., Regional Search Service Corp, Business Yellow-Pages.Info Inc., National Search Guide Inc,
 7 Optimum Web Exposure Inc, and Optimum Search Solutions Inc.

8 19. As further part of the scheme, HALLAK, SUATAC, PERNA, and MANCINI caused the
 9 nominees and others to open bank accounts in the names of the shell companies.

10 20. As further part of the scheme, HALLAK, SUATAC, PERNA, and MANCINI caused
 11 others to cold-call victims and make false statements, including that they had a pre-existing business
 12 relationship with a “Yellow Pages” or other entity formed by the defendants; that they had previously
 13 purchased business directory services from the defendants; that they owed the defendants for those
 14 services; that they owed the defendants anywhere between \$400 and \$1800 for a previously purchased
 15 business directory listing; and that the fees were for the second year of a two-year contract.

16 21. As further part of the scheme, HALLAK, SUATAC, PERNA, and MANCINI caused
 17 others to send bogus invoices, falsely stating or suggesting that victims owed for service they did not
 18 order or receive. When such initial misrepresentations were not sufficient to induce payment, victims
 19 were harassed and threatened with legal action and sent additional bogus invoices with additional
 20 charges.

21 22. As further part of the scheme, HALLAK, SUATAC, PERNA, and MANCINI caused the
 22 nominees or others to open mailboxes or virtual offices to receive payment and to forward the mail to
 23 Canada. Proceeds from the scheme were deposited in U.S. financial institutions and wired to Canada.

24 23. As a result of the scheme, HALLAK, SUATAC, PERNA, MANCINI, and others
 25 collected at least approximately \$10.8 million.

26 All in violation of Title 18, United States Code, Section 1349.

27 COUNTS THREE THROUGH SIX: (18 U.S.C. § 1341 – Mail Fraud)

28 24. Paragraphs 1 through 4 and 15 through 23 are re-alleged and incorporated by reference.

25. On or about the dates set forth below, in the Northern District of California and elsewhere, the defendants,

NEMR HALLAK,
TOLGA SUATAC,
MICHELINA PERNA, and
ROBERTO MANCINI,

did knowingly, and with intent to defraud, devise and intend to devise a material scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of material facts, and, for the purpose of executing such scheme and artifice and attempting to do so, did knowingly place in a post office and authorized depository for mail matter a matter and thing to be sent and delivered by the United States Postal Service, and deposit and cause to be deposited a matter and thing to be sent and delivered by private and commercial interstate carrier, and take and receive therefrom a matter and thing, and knowingly cause to be delivered by mail and such carrier according to the direction, namely:

COUNT	DATE	DESCRIPTION
THREE	5/5/2011	Mailing from Victim C.A. in Oakland, CA, including \$100 check to Direct Yellow Pages
FOUR	7/26/2011	Mailing from Victim J.V.'s business in Hayward, CA, including \$732.19 check to Direct Yellow Pages
FIVE	2/25/2013	Mailing to Victim J.L.'s business in Seaside, CA, including receipt for \$399.55 payment to Your Yellow Pages
SIX	6/30/2013	Mailing to Victim J.L.'s business in Seaside, CA, including receipt for \$349.96 payment to Rapid Yellow Pages

Each in violation of Title 18, United States Code, Section 1341.

COUNT SEVEN: (18 U.S.C. § 1343 – Wire Fraud)

26. Paragraphs 1 through 4 and 15 through 25 are re-alleged and incorporated by reference.

27. On or about the date set forth below, in the Northern District of California and elsewhere, the defendants,

NEMR HALLAK,
TOLGA SUATAC,
MICHELINA PERNA, and
ROBERTO MANCINI,

did knowingly, and with intent to defraud, devise and intend to devise a material scheme and artifice to

INDICTMENT

defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of material facts, and, for the purpose of executing such scheme and artifice and attempting to do so, did transmit, and cause to be transmitted, by means of wire communication in interstate and foreign commerce, certain writings, signs, signals, pictures, and sounds, namely:

COUNT	DATE	DESCRIPTION
SEVEN	10/28/2013	Faxed invoice for \$1,532.31 from City Yellow Pages, 20 Commerce Drive, Suite 135, Cranford NJ 07016, Fax (855) 279-2883, to Victim J.R. in Monterey, California

All in violation of Title 18, United States Code, Section 1343.

FORFEITURE ALLEGATION: (18 U.S.C. §§ 981(a)(1)(C) & 982(a)(1) & 28 U.S.C. § 2461 – Forfeiture of Fraud Proceeds; Money Laundering Forfeiture)

28. The factual allegations in Paragraphs 1 through 27 are re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(1), and Title 28, United States Code, Section 2461.

29. Upon conviction of the offense alleged in Count One, the defendants,

NEMR HALLAK,
TOLGA SUATAC,
MICHELINA PERNA, and
ROBERTO MANCINI,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real and personal, involved in the violation alleged in Count One.

30. Upon conviction of any of the offenses alleged in Counts Two through Seven, the defendants,

NEMR HALLAK,
TOLGA SUATAC,
MICHELINA PERNA, and
ROBERTO MANCINI,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461, any property, real and personal, which constitutes or is derived from proceeds traceable to said violations, including but not limited to a sum of not less than

1 \$10.8 million, representing the amount of proceeds obtained as a result of the offenses alleged in Counts
 2 Two through Seven.

3 31. If, as a result of any act or omission of the defendant, any of said property

4 a. cannot be located upon the exercise of due diligence;

5 b. has been transferred or sold to or deposited with a third person;

6 c. has been placed beyond the jurisdiction of the Court;

7 d. has been substantially diminished in value; or

8 e. has been commingled with other property which cannot be divided without difficulty;

9 any and all interest defendant has in any other property shall be forfeited to the United States, pursuant
 10 to Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(1), and Title 28, United States Code,
 11 Section 2461.


12 All in violation of Title 18, United States Code, Sections 981(a)(1)(C) and 982(a)(1), and Title
 13 28, United States Code, Section 2461.

14
 15 DATED: March 17, 2016

A TRUE BILL

16
 17
 18 
 FOREPERSON

19
 20 BRIAN J. STRETCH
 Acting United States Attorney

21 
 22 PHILIP A. GUENTERT
 23 Deputy Chief, Criminal Division

24
 25 (Approved as to form: 
 26 AUSA ROBERT S. LEACH
 27
 28

**United States District Court
Northern District of California**

~~SEALED~~
~~BY COURT ORDER~~ **CRIMINAL COVER SHEET**

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

NEMR HALLAK, TOLGA SUATAC,
MICHELINA PERNA, a/k/a Michelle Perna,
Case Name: a/k/a Michelle Perry, a/k/a Sonia Perry and
USA v. ROBERTO MANCINI

CR16

Case Number:

0116

EMC

Total Number of Defendants:

1 ☐

2-7 ☒

8 or more ☐

Is This Case Under Seal?

Yes ☒

No ☐

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes ☐

No ☒

Venue (Per Crim. L.R. 18-1):

SF ☒

OAK ☐

SJ ☐

EUR ☐

MON ☐

Is any defendant charged with a death-penalty-eligible crime?

Yes ☐

No ☒

Assigned AUSA (Lead Attorney):

ROBERT S. LEACH

Is this a RICO Act gang case?

Yes ☐

No ☒

Date Submitted:

03/17/16

Comments:



Print

Clear Form